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ABSTRACT

This annotated bibliography provides a framework within which questions and answers about the school desegregation process can be formulated and addressed. A glossary of terms dealing with school integration are included. Among these are the following: ability grouping, annexation, bilingual education, clustering, consolidation, de facto and de jure segregation, departmentalization, equi distant zoning, feeder system, freedom of choice, grade a year plans, magnet schools, majority to minority transfers, metropolitan remedies, pairing, and others. The bibliography includes general and legal references, as well as a summary of important school desegregation cases. It also includes references on general research, research on academic achievement and desegregation, research on busing, and research on white flight and community preparation. The bibliography also includes: a summary of research findings concerning school desegregation and the outcomes for children, a fact sheet on busing, a summary of findings concerning the implementation of desegregation orders, and a summary of recommendations resulting from the desegregation of the Boston public school. (Author/AM)

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School Desegregation Integration Notebook

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ANNOTATED BIBLIOGRAPHY

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SUMMARIES OF REFERENCE MATERIALS

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June, 1977

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This "bibliography" aims to provide the newcomer to school desegregation with a reference frameowrk within which she or he can unravel the questions and formulate answers to the many issues inherent in the school desegregation process. Therefore, we have supplemented the annotated format with summaries of some of the key works in the area. Included too are references to some authors who have concluded that desegregation does not work. These references are meant to familiarize you with the arguments raised by the opposition and to stimulate your own thinking in response to them.

These materials are published for insertion in a looseleaf binder. We will be issuing supplementary pages periodically, as well as a complete section on bilingual education. If you have suggestions on materials you have found helpful and which you think should be shared with others please let us know about them.

GLOSSARY

Ability Grouping: The practice of classifying pupils in homogeneous sections for purposes of instruction according to their "intelligence." Such grouping is determined by teachers' assessments and/or standardized tests.

Annexation: The process by which cities added or "annexed" surrounding territories to the city proper. Early annexation moves required only a majority vote of all people affected by the annexation, thereby making it relatively easy for cities, which controlled most of the votes, to annex surrounding areas. However, most states now require majority votes within each subdivision affected by the annexation, thereby severely restricting a city's ability to annex.

Bi-lingual education: A program which uses two languages, one of which is English as a means of instruction, which builds upon and expands the existing language skills of participating students.

Clustering: The method that combines three or more schools along the same principles as "pairing" (see definition) to achieve school desegregation.

Consolidation: The combination of two or more school districts into a single district.

De Facto Segregation: Segregation which exists in fact but which cannot be traced to or said to result from legal action.

De Jure Segregation: Segregation which exists as a result of legal action -- for example, by statute, ordinance, or school board practices.

Departmentalization: A type of classroom organization in which students are scheduled to spend a specified period of time each day for individual subjects with different teachers

Equi-distant zoning: School boundary lines which are drawn at exactly the same distance between adjacent schools. In cases where a school would become over-capacity as a result of this method of determining the composition of its student body, its attendance zone would be decreased (and adjacent zones increased) by narrowing its boundaries by means of a line or lines parallel to those originally proposed. In every case in which such a change is necessary it must be effected in a manner which will increase the integration factor.

Feeder Systems: Several primary schools will "feed" their student bodies directly to a secondary school. Since a secondary school usually draws a larger student body from a larger geographic area than a primary school, a

reasonable feeder system could result in integration. However, school boards can also design such systems so as to perpetuate segregation.

Freedom of Choice: Early desegregation plans which allowed students to attend the school of their choice. The result was that white children continued to choose all-white schools and few black children "chose" to attend hostile all-white schools.

Grade-a-year Plans: Early desegregation plans which called for the desegregation of schools at the rate of one grade per year.

Magnet Schools: Schools designed to attract students from a wide geographic area by offering innovative programming or by supplementing activities which exist in traditional schools.

Majority-to Minority Transfers: The process by which students who are enrolled in schools in which their race is in the majority may transfer to any school in the same district in which their race is in the minority. Such transfers are permissible where they will contribute to integration.

Metropolitan Remedies: Plans which require that urban/suburban lines be crossed for desegregation purposes. Suburban school districts must receive inner city pupils and vice-versa.

Non-contiguous zones: Geographic attendance zones that are not adjacent to one another within a given school district.

Open Enrollment: Plans which should allow any student to enroll in the school of his/her choice. In reality they have been used to allow white students to transfer out of black schools while blacks seeking transfers to predominantly white schools have been discouraged.

Optional Zones: A technique often employed by school boards to enable whites to opt out of schools that would otherwise be racially mixed. Pupils living within certain areas are given the option of attending one of two or more schools. "The natural, probable, foreseeable, and actual effect of these optional zones was to allow white youngsters to escape identifiable black schools." Bradley v. Milliken, district court opinion.

Pairing: The method that combined two schools within a given district to achieve school desegregation. For example, before pairing a predominantly black school and a predominantly white school might both serve grades 1 through 6. As a result of pairing, one school might serve grades 1 through 3, and the other school grades 4 through 6. Pairing could thus be used to merge the former attendance patterns for the two schools into one larger attendance zone for both. Schools in non-contiguous zones could also be paired.

Pupil Placement Laws:	Statutes which were designed to maintain segregated schools by conditioning student assignment on such factors as "the psychological qualifications" of pupils, possibility or threat of friction or disorder among pupils, and maintenance of established social or psychological relationships with parents.
Racial Balance:	When the black/white ratio in the school is identical to the black/white ratio in the population. Under Swann, such racial balance is not required.
Second Generation Problems:	Refers to problems which arise following the desegregation of a school. For example, disproportionate suspension and expulsion of minority students, student discipline, and tracking.
Tipping:	The point at which a neighborhood or school moves from integration to predominantly minority.
Tracking:	Similar to ability grouping. Tracking often involves the assignment of minority students to non-academic course offerings and, within such offerings, to lower paying skills.
White flight:	The outmigration of whites from the central city to the suburbs or other areas.
Zoning:	The drawing of school boundaries.

GENERAL

Twenty Years After Brown: Equality of Educational Opportunity, March 1975, 94 pages. Available from the U.S. Commission on Civil Rights, 1121 Vermont Ave., N.W., Washington, D.C. 20425

The first part of this report traces twenty years of school desegregation law - from Brown to Milliken. The second part is a summary of the data reflecting the impact of school desegregation. It shows that:

- substantial progress has been made in the South;
- there have been minimal gains in the North;
- absent positive action, segregation in urban areas is likely to increase;
- desegregation of dual systems in the South resulted in the displacement or demotion of black school personnel;
- high numbers of expulsions and suspensions of minority pupils occurred in desegregated schools.

Citizen Guide to Desegregation, A Report of the Citizens' Council for Ohio Schools, 1976. Available for $1.25 from the Citizens' Council for Ohio Schools, 417 The Arcade, Cleveland, OH 44114

This is an excellent primer on school desegregation. In a series of nine highly readable and concise articles the authors summarize a) the elements of successful desegregation efforts; b) the legal basis and recent court decisions on school desegregation; c) techniques of desegregation; d) school desegregation outcomes in terms of academic achievement, racial attitudes, and "white flight;" e) highlights of the desegregation process in Boston, Denver, Detroit and Minneapolis.

Integrateducation, Meyer Weinberg, Editor. Subscription rate $12.00 per year. Available from the School of Education, Northwestern University, 2003 Sheridan Road, Evanston, IL 60201

A bi-monthly magazine publishing articles on race and sex discrimination in education. Areas covered include employment, curriculum, methods of instruction, parent involvement, and issues specifically relating to desegregated schools.

As a regular feature the magazine includes a bibliography, book review section, and summary of developments in communities across the country.

Desegregating Urban Schools: A Review of Techniques, Harvard Education Review, volume 43, no. 1, pp.5-36, February, 1973, Gordon Foster.

The author has testified in a number of major school desegregation cases. In this article, he summarizes voluntary and court ordered methods of desegregation, indicating the strengths and weaknesses of each. Methods covered include: redrawing zone lines, pairing and clustering of schools, modified feeder patterns, optional zones, majority to minority transfers, magnet schools, metropolitan plans. In addition to the substantive information, it provides a good introduction to school desegregation terminology.

Milliken v. Bradley: The Implications for Metropolitan Desegregation, November 1974. Available from the U.S. Commission on Civil Rights, 1121 Vermont Ave., N.W., Washington, D.C. 20425.

This report consists of a series of papers on the legal, political, educational, and housing implications of the Detroit metro suit. The papers and responses to them are by top people in the field.

The "political" section provides a general background on state annexation and consolidation laws; points to the resistance of suburban areas to geographic consolidation and cautions that expansion to urban-suburban models of the school district consolidation movement that has largely affected rural areas raises new issues; and indicates action states could take to prompt consolidation.

The "educational" section concludes that intra-district remedies can still accomplish significant desegregation in a number of cities, including some of the larger cities; lays out eight structural conditions of schools that appear to further integration; and presents a demographic perspective on residential patterns and their causes.

The "housing" section suggests the type of evidence that can be used by plaintiffs to show that the state and its suburban political subdivisions have acted to exclude minorities from the suburbs: racial zoning ordinances, racially restrictive covenants, use of public improvements to exclude or displace minorities, exclusion of minorities by excluding subsidized housing, failure to take steps to encourage minority residents; discrimination by the private and home finance industry.

Statement on Metropolitan School Desegregation, February, 1977, 119 pages. Available from the U.S. Commission on Civil Rights, 1121 Vermont Avenue, N.W., Washington, D.C. 20425.

This report is divided into three sections. The first part demonstrates the dimensions of racial concentration in metropolitan areas and how this segregation is not explained by differences in black/white income or as an exercise of free choice by black citizens. It then illustrates the role of government - through zoning ordinances, enforcement of restrictive covenants, FHA policies, etc. - in promoting and maintaining residential segregation.

The second section addresses the feasibility of metropolitan solutions. In response to the argument that metropolitan desegregation would pose serious administrative and fiscal problems, the author notes that 1) the establishment of a single district incorporating both the central city and its suburbs is not an uncommon administrative arrangement; 2) the administrative framework for implementing metro remedies is available in almost all states within the already existing educational bureaucracy; 3) state experience with consolidation and annexation demonstrates that the administrative and fiscal issues posed are not problems of first impression and that states have developed statutory or common law provisions to deal with these situations; 4) cross district transfers are commonly used for special or vocational education or to deal with inadequate facilities in the sending district; 5) local control could be maintained over most aspects of the educational process - with the metro authority having primary responsibility for assigning students in a non-discriminatory manner and the local board controlling educational decisions; 6) interdistrict remedies would not require excessive busing (the report cites metro desegregation orders that have reduced or maintained reasonable busing times); 7) interdistrict plans offer the prospect of stable integration; 8) metro plans offer educational advantages beyond those of desegregation.

The final section focuses on legal principles governing interdistrict remedies.

LEGAL

Twenty Years After Brown: Equality of Educational Opportunity, March 1975, 94 pages. Available from the U.S. Commission on Civil Rights, 1121 Vermont Avenue, N.W., Washington, D.C. 20245

Approximately thirty-five pages of this report are devoted to an explanation of the development of school desegregation law, in the North and South. The materials cover the period from Brown v. Board of Education to Milliken v. Bradley.

Judicial Evolution of the Law of School Integration Since Brown v. Board of Education, by Frank T. Read. In Law and Contemporary Problems, School of Law, Duke University, volume 39, number 1, Winter 1975.

Why Must Northern School Systems Desegregate?: A Summary of Federal Court Findings in Recent Cases, January 1977, 30 pages. Available from the Center for National Policy Review, Catholic University Law School, Washington, D.C. 20064

This memorandum describes the kinds of deliberate segregative acts by public school officials that have led courts to require desegregation -- for example, gerrymandering of attendance zones, open enrollment, school construction. An Appendix to the report charts the specific violations found in sixteen northern desegregation cases.

Justice Delayed and Denied, HEW and Northern School Desegregation. Available for $3.00 from the Center for National Policy Review, Catholic University School of Law, Washington, D.C. 20064.

The bulk of this report is devoted to an analysis of the deficiencies in HEW's Title VI enforcement efforts through 1974. It does not purport to recommend solutions, but by specific reference to the problem areas and "bottlenecks" it is an excellent preparation for the pitfalls one can expect to encounter in processing an HEW complaint. The section devoted to "Title VI Enforcement: Organization and Procedure" is a useful introductory guide to the nature of HEW's enforcement power and the specific organizational and investigative process, including the scope of compliance reviews and field investigation, of the Office of Civil Rights.

Since it was published in 1974, the book does not reflect Congressional action limiting HEW's powers.

SUMMARY OF

IMPORTANT SCHOOL DESEGREGATION CASES

Brown v. Board of Education, 347 U.S. 483 (1954)

The Supreme Court interpreted the equal protection clause of the 14th Amendment as flatly prohibiting state-imposed segregation of the races in public schools: ". . . in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."

Brown v. Board of Education (Brown II), 349 U.S. 294 (1955)

The Supreme Court sent the combined cases of Brown I back to the federal district courts from which they had originated and instructed those courts to take further steps consistent with the opinion in Brown I. The Court provided the following guidance to the district courts:

- local school authorities have primary responsibility for implementing school desegregation;

- the court's function is to determine whether a local school board's response amounts to good faith implementation;

- the district court is to be guided by equitable principles in shaping remedies;

- the court should insure that desegregation proceeds with "all deliberate speed."

Cooper v. Aaron, 358 U.S. 1 (1958)

In an opinion personally signed by all nine members, the Supreme Court unequivocally announced that opposition to the Brown mandate, however intense or violent, would not be allowed to stay implementation of the constitutional rights of black children to equal educational opportunities.

Shuttlesworth v. Birmingham Board of Education, 162 F. Supp. 372 (N.D. Ala. 1958), aff'd 358 U.S. 10 (1958)

The Supreme Court affirmed a lower court opinion which held that the Alabama pupil placement statute was not unconstitutional on its face. Under that law, in determining eligibility standards for transfer, the following factors could be considered: psychological qualifications of pupils; possibility or threat of friction or disorder among pupils; and maintenance or severance of established social or psychological relationships with parents.

Goss v. Board of Education, 373 U.S. 683 (1963)

The Supreme Court held that transfer programs that allowed students, assigned to schools without reference to race, to transfer from their assigned schools if a majority of students in that school were of a different race, ran counter to Brown.

Griffin v. County School Board of Prince Edward County, Virginia, 377 U.S. 218 (1964)

The Court rejected continued delay in achieving desegregation, concluding that "[t]he time for mere 'deliberate speed' has run out." The Court held that the action of the county school board in closing the public schools, while at the same time contributing to the support of private segregated schools, was a denial of equal protection.

Rogers v. Paul, 382 U.S. 198 (1965)

The Court held that a school district whose grade-a-year plan had not reached high school was compelled to honor the requests of black students to enroll in desegregated schools which offered courses not available at the all black school to which they had been assigned. The Court also held that faculty desegregation was part of the relief required by Brown.

Green v. County School Board, 391 U.S. 430 (1968)

This case initiated a major new emphasis on immediate integration and placed "[t]he burden on a school board . . . to come forward with a plan that . . . promises realistically to work now." Although the decision did not explicitly rule out the use of freedom of choice plans to desegregate the schools, the effect was the same since such plans did not result in prompt conversion to integrated schools.

Swann v. Charlotte-Mecklenburg Board of Education, 402 U.S. 1 (1971)

Confining its ruling to situations involving a prior history of de jure segregation, the Court held that:

- racial balance was not required by the Constitution, but that the use of mathematical ratios was a useful starting point in shaping a desegregation remedy;

- the existence of a one-race school did not constitute a per se violation of the Constitution, but that there was a presumption against one-race schools;

- the following techniques were permissible and appropriate in desegregation orders:

1) gerrymandering of school districts;

2) pairing, clustering or grouping of schools with assignments made "deliberately to accomplish the transfer of Negro students out of formerly segregated Negro schools and the transfer of white students to formerly all Negro schools;"

3) busing, which is a "normal and accepted tool of educational policy." The Court recognized, however, that busing may be objectionable "when the time or distance of travel is so great as to risk either the health of the children or significantly impinge on the educational process.

Cisneros v. Corpus Christi Independent School District, 413 U.S. 189 (1973)

Mexican-Americans were recognized as an identifiable minority protected by Brown. The Supreme Court held that the district court had erred in "separating Negroes and Hispanos for purposes of defining a segregated school" and that plaintiffs were "entitled to have schools with a combined predominance of Negroes and Hispanos included in the category of "segregated school."

Keyes v. School District No. 1, Denver, Colorado, 413 U.S. 189 (1973)

This was the first northern school desegregation case decided by the Supreme Court. The Court held that, although the Denver system "has never been operated under Constitutional or statutory provision that mandated or permitted racial segregation in public education," the school board, by manipulating attendance zones, site selection, and by imposing a neighborhood school policy on

existing residential segregation had engaged in de jure segregative acts in the Park Hills area of Denver.

Once the plaintiffs established state imposed segregation in one part of a district, the Court held that they need not establish de jure segregation in each and every part of the system. The burden would shift to school authorities to prove that the other segregated schools within the system were not the result of intentional actions. The Supreme Court sent the case back to the lower court for a decision as to whether the de jure segregation in the Park Hill area had a reciprocal effect on the racial composition of the other schools in the district. If it did, the district court could order desegregation for the entire district.

Keyes marks the first split from the previous unanimity of the Court in school desegregation cases. Powell attacks the majority's perpetuation of the de jure/de facto distinction and devotes considerable commentary to the disruptive effects of busing as a remedy -- urging that it be used sparingly. Douglas also condemns the de jure/de facto distinction. Rehnquist urges that a remedy was warranted only in those particular schools in Denver where de jure segregation had been proven.

Milliken v. Bradley, 418 U.S. 717 (1974)

The Supreme Court reversed a district court finding (affirmed by the Sixth Circuit) that only a metropolitan remedy would be appropriate in light of the state's involvement in maintaining segregation in Detroit's schools and since a Detroit only plan would lead very shortly to an all black school district.

In Chief Justice Burger's plurality opinion, and particularly in Justice Stewart's concurring opinion,

the Court stated that inter-system desegregation might be "in order" or "appropriate" where there is proof of an "inter-district violation," or where there is proof of governmental contributions to segregated housing patterns.

Evidence which the Supreme Court found insufficient to support a metropolitan remedy in Detroit included the discriminatory provision of transportation costs; state legislation rescinding a voluntary desegregation plan drawn up by the Detroit school board, cooperation with Detroit officials in school construction policies which fostered segregation, and approval of the busing of black suburban students to Detroit schools.

Inter-system litigation has continued after Milliken with records focusing primarily on government contributions to segregated housing patterns, e.g., public housing, subsidized low-income housing, planning, zoning, nonenforcement of fair housing laws, FHA and VA financing, recording of restrictive covenants, etc.

Pasadena City Board of Education v. Spangler, 427 U.S. 424 (1976):

The Supreme Court held that once a district court had implemented a race neutral attendance plan to remedy a constitutional violation, it had fully performed its function of providing the appropriate remedy for previous racially discriminatory attendance patterns. As a result, a district court does not have the authority to require the School District to make annual adjustments in its attendance zones to ensure that the racial mix originally ordered by the court is maintained. Therefore, where changes in residential patterns resulted in changes in the racial makeup of the schools but did not involve any segregative action on the part of the defendants, the district court could not order adjustments.

STATUTORY LAW

A. EQUAL EDUCATIONAL OPPORTUNITIES ACT OF 1974, Public Law 93-380, 20 U.S.C. §1701 et seq.

Congressional Declaration of Policy:

§1701(a) The Congress declares it to be the policy of the United States that

(1) all children enrolled in public schools are entitled to equal educational opportunity without regard to race, color, sex, or national origin; and

(2) the neighborhood is the appropriate basis for determining public school assignments.

§1701(b) In order to carry out this policy, it is the purpose of this part to specify appropriate remedies for the orderly removal of the vestiges of the dual school system.

Unlawful Practices

§1703 States may not deny equal educational opportunity by:

- deliberate segregation among or within schools;
- failing to take affirmative steps, if the educational agency had formerly practiced deliberate segregation, to remove vestiges of the dual system;
- assigning students to a school other than the one closest to his or her place of residence if the assignment results in a greater degree of segregation than would result if the student were assigned to the school closest to his or her residence.
- discriminating in employment or assignment of faculty or staff;
- transferring students, on a voluntary basis or otherwise, if the purpose and effect is to increase segregation;
- failing to take appropriate action to overcome language barriers that impede equal participation by students in instructional programs.

EQUAL EDUCATIONAL OPPORTUNITIES ACT OF 1974 (cont'd)

Racial Balance

§1704 Racial Balance is not required.

Neighborhood Schools Policy

§1705 Assignment to a neighborhood school is not a violation unless it is done for the purpose of segregating students or the school site had been selected for the purpose of segregating students.

Enforcement

§1707 Residential shifts in population which occur after a court has determined that a school system is desegregated and which cause school population changes do not, in themselves, constitute a cause for a new desegregation plan or for a modification of the court approved plan.

Remedies

§1713 Remedies should be implemented in the following order:

(a) assigning students to the schools closest to their homes, taking into account school capacities and natural physical barriers;
(b) assigning students to the schools closest to their homes, taking into account only school capacities;
(c) permitting majority to minority transfers;
(d) the creation or revision of attendance zones or grade structures;
(e) construction of new schools or the closing of inferior schools;
(f) construction or establishment of magnet schools;
(g) development and implementation of any other plan which is educationally sound and administratively feasible, subject to the Act's provision on transportation.

EQUAL EDUCATIONAL OPPORTUNITIES ACT OF 1974, (cont'd)

§1714 Court or federal agency plans cannot require transportation of any student to a school other than the one closest to his or her home or require, directly or indirectly, the transportation of any student if it would pose a risk to the health of the student or constitute a significant impingement on the educational process with respect to such student.

§1715 School district lines cannot be altered except where it is established that they were drawn for the purpose, or had the effect, of segregation.

§1755 No court shall order a plan to remedy a finding of de jure segregation which involves the transportation of students, unless the court first finds that all alternative remedies are inadequate.

§1757 Court orders requiring busing for desegregation shall not be effective until the beginning of an academic year.

Voluntary Adoption of Remedies

§1716 Education agencies are free to voluntarily implement desegregation plans that vary from the standards set out in this Act.

5. EMERGENCY SCHOOL AID ACT, 1972, Public Law 92-318, 20 U.S.C. 1600 et seq; HEW regulations, 45 C.F.R. 185 et seq.

Eligibility

Local education agencies may receive grants if they are:

a) implementing a desegregation plan i) pursuant to a final order issued in state or federal court or by the state agency having this power, or ii) which has been approved by HEW.

b) have voluntarily adopted a plan that would i) eliminate minority group isolated schools; ii) eliminate or reduce minority group isolation; iii) prevent minority group isolation that is likely to occur; iv) enroll children in a district they would otherwise be ineligible to attend, if such enrollment would make a significant contribution toward reducing minority group isolation.

Limitations on Eligibility

Local education agencies are ineligible if, after June 23, 1972 they:

1. Directly or indirectly transferred property or services to a private school without first determining that such school was not operating on a racially segregated basis as an alternative for children seeking to avoid attendance at a desegregated or integrated school;

2. Maintained in effect or had any practice, policy or procedure which resulted in the disproportionate demotion or dismissal of minority group personnel in the desegregation process. Such a policy will be considered to remain in effect if, when the agency applies for assistance, the proportion of minority group personnel has not been restored to pre-desegregation levels unless the agency can demonstrate that it has taken corrective measures and that progress has been achieved.

EMERGENCY SCHOOL AID ACT (cont'd)

3. Maintain segregated classrooms. This section does not prohibit "bona fide ability grouping" which is i) based on non-discriminatory, objective standards of measurement, ii) maintained only for such part of the school day as is necessary to achieve the purpose of such grouping; iii) designed to meet the special needs of the children; and 4) validated by test scores or other objective evidence.

4. Discriminate against children by i) limiting curricular or extra-curricular activities to avoid participation by minority children; ii) denying equality of educational opportunity; iii) permitting groups or organizations that discriminate against minority children to use school facilities; iv) discriminatory imposition of disciplinary sanctions; v) ability grouping or tracking on the basis of race; vi) denying comparable facilities or instructional services to minority children on the basis of race.

Waiver of Ineligibility

By making specific showings or providing assurances to the Secretary of HEW, ineligibility may be waived.

Authorized Activities

Authorized activities include: i) Remedial Services; ii) Provision of additional professional or other staff (including staff specially trained in problems of desegregation) and the training or retraining of existing personnel; iii) Recruiting, hiring and training of teacher's aides. Preference is to be given to hiring parents of children attending the school; iv) In-service teacher training; v) Guidance and Counseling services; vi) Development of new curriculum and instructional methods to support a program of instruction for children from all racial, ethnic and economic backgrounds; vii) Interracial educational programs involving children attending different schools; viii) Community activities, including public information in support of the plan; ix) Repair or minor remodeling or alteration of school facilities.

EMERGENCY SCHOOL AID ACT (cont'd)

Assurances Required

Grant recipients must give assurance that:

". . . no funds made available under the Act will be used for the transportation of teachers or students (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system or to carry out a plan for racial desegregation of any school or school system."

C. ELEMENTARY AND SECONDARY EDUCATION, AMENDMENTS OF 1972, Public Law 92-318, 20 U.S.C. 1651 et seq.

Prohibition against assignment or transportation of students to overcome racial imbalance

§1651 No provision of this Act shall be construed to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

Prohibition against use of appropriated funds for busing.

§1652 Appropriated funds may not be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial balance or to carry out a plan of racial desegregation, except on the express written voluntary request of appropriate local school officials. No funds shall be made available for transportation when the time or distance of travel is so great as to risk the health of the children or significantly impinge on the educational process of such children, or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to the school where the student would otherwise be assigned under a nondiscriminatory system.

D. TITLE IV OF THE CIVIL RIGHTS ACT OF 1964, Public Law 88-352, 42 U.S.C. 2000 c (2)

Technical Assistance to Desegregating Schools

The Commissioner of Education is authorized to render technical assistance to any school board or other government unit legally responsible for operating the public schools in the preparation, adoption, and implementation of a desegregation plan. Such assistance may include making available information regarding effective methods of coping with special educational problems occasioned by desegregation, and making available Office of Education personnel or other persons especially equipped to advise and assist them in coping with such problems.

E. TITLE VI OF THE CIVIL RIGHTS ACT of 1964, Public Law 88-352, 42 U.S.C. 2000 d, 45 C.F.R. §80 et seq.

Nondiscrimination in Federally Assisted Programs

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Assurance of Compliance

Elementary and secondary schools will satisfy the assurance of compliance requirement if the school 1) is subject to a final court order and provides assurance it will comply with the order and any future modification of it; 2) submits a plan which HEW determines is adequate.

Enforcement

HEW is responsible for securing compliance and may withhold federal assistance from school districts that are not in compliance. HEW may conduct periodic compliance reviews as well as investigate individual complaints.

RESEARCH

OVERALL

Research Review of Equal Education. Available from the Center for Equal Education, Northwestern University, School of Education, 2003 Sheridan Road, Evanston, IL 60201; $15.00 per year; published quarterly.

This is a new publication which will contain interpretive reports "written as non-technically as possible" describing very recent research or older, unreported research on desegregation and its impact on education.

School Desegregation: Outcomes for Children; Nancy St. John, John Wiley & Sons, Inc. 1976, 224 pages.

This is a highly readable book that reviews more than 120 studies on the relation of school racial composition and the achievement, attitudes and behavior of children. Fifty pages of the book are devoted to a series of charts which compare the research design, population studied, and outcomes of the various studies. They are broken down into nine categories, as summarized on the following pages.

St. John concludes that "on the basis of the evidence, biracial schooling must be judged neither a demonstrated success nor a demonstrated failure." The findings to date show that:

- Desegregation has not rapidly closed the black/white academic achievement gap, though it has rarely lowered and sometimes raised the scores of black children. White achievement has been unaffected in schools that remained majority white but

significantly lowered in schools that were majority black.

- Biracial schooling may have negative effects on black children's self esteem, and apparently lowers educational and vocational aspirations. There is some evidence, however, that in the long-run desegregation may encourage the aspiration, self-esteem and sense of environmental control of black youth.

- The evidence on the effect of desegregation on interracial attitudes is confusing and contradictory at times; the immediate effect is sometimes positive but often negative.

St. John finds that even the best of the studies are limited by weaknesses in the research designs. She also attributes the inconsistent findings to two factors: 1) desegregation is a multi-faceted phenomenon which can be simultaneously beneficial in some respects and harmful in others; 2) its impact depends on children's individual needs, and more importantly, on how it is implemented by the school staff. Very few of the studies controlled for this latter factor at all.

Summary of Research Findings presented in School Desegregation: Outcomes for Children.

1. Cross Sectional Studies of Black Achievement

National cross sectional studies differ to some extent as to whether the relationship between the proportion white in a school and individual performance is largely accounted for by the socio-economic status (SES) of the student body (Coleman 1966; Pettigrew & Riley, 1972) or whether racial composition has an independent relationship to student performance (U.S. Commission on Civil Rights.) There does appear to be agreement, however, that the racial composition of the classroom does have a positive relationship.

2. Longitudinal Studies

Few of the studies reported clear gains in achievement, but it is important to remember that systemwide desegregation did not mean desegregated classes for most children in these cities at the time of the studies. Factors other than race that might have accounted for the gains noted include: 1) the probability that classmates of black children after desegregation were of higher socio-economic-status, and 2) major systemwide educational improvement which accompanied desegregation in several of the cities studied.

The author summarizes the findings of the Riverside, California experiment, the most long-term, completely documented and widely noted study in the group. The findings showed that 1) achievement of kindergarten and first grade minority students rose steadily and significantly, approaching the median of the norming sample, but second graders showed no trend and third graders decreased slightly; 2) receiving pupils showed trends similar to those of the bused pupils, thus the gap between the groups was narrowed only slightly; 3) the gain in the

first two years was the result of instructional improvement; 4) pupils attending certain schools consistently scored high or low - sometimes due to the SES of receiving pupils, sometimes to quality of the program.

3. Quasi Experimental Studies

Desegregation was not systemwide; therefore a control group was available. A problem exists with these studies in that most of the desegregating students were self-selected. The study which St. John considers "the most nearly adequate design" showed that after controlling for variation in first grade IQ and for parental and neighborhood SES, the social class of the primary school had a significant effect on reading and verbal scores but that school racial composition had no significant effect over and above school social class. Although racial integration, per se, was not significantly related to the academic performance of black children, the combined effect of school racial and social class segregation, which were highly correlated, was a strong deterrent to academic achievement.

A study of planned total district desegregation in Goldsboro, North Carolina showed that achievement in arithmetic was related to desegregation but that improvement in verbal achievement resulted from systemwide desegregation rather than attendance at a desegregating school, since similar gains were experienced by those who remained at a segregated school.

4. Achievement of White Students

White students who voluntarily bused into predominantly black schools showed gains more often than losses, but St. John cautions that white families who chose "reverse" busing may "have unusual children." Where white children remain in

the majority in their schools and classrooms, there are no negative consequences in their achievement. The two studies that showed a relationship between proportion white and performance of white students were Armor's 1972 analysis of the Coleman data showing that in verbal ability white students scored as low or lower than black schoolmates (this could again reflect a correlation between SES and performance rather than racial composition of the schools), and St. John's finding that residence in racially changing neighborhoods in Boston was associated with lower test scores for white children.

5. Anxiety

There is little clear evidence of serious effects of desegregation on the emotional stress of transferred minority students. Coles' study of southern black pioneers in desegregating schools showed that despite fear and anxiety, the children demonstrated extraordinary resiliency and light heartedness.

6. Self-Confidence

A recent study by Rosenberg and Simmons (1971) found that blacks in their sample of 1,917 third to twelfth grade pupils appeared to have higher, rather than lower, self-esteem than whites, thereby throwing doubt on the assumption that black self-esteem is lower in segregated than in desegregated schools. At the senior high level, 12% of black children in predominantly black schools but 26% of black children in predominantly white schools showed low self-esteem. Of the 25 studies that measured self-esteem, 9 found that desegregation has a negative effect (only 3, however, were statistically significant), 7 showed that it had no effect, 5 had mixed results, and 4 showed a positive effect.

Although the short-run outcome of desegregation may be lower self-esteem, there is some indication that in the long-run desegregation is usually

associated with higher self-esteem. This is based on one study that found that while academic self concept was negatively related to present school percentage white, it was positively related to past percentage white. Another indication comes from the Coleman Report which found that although academic self concept fell, the sense of environmental control rose with school percent white.

7. Aspirations

Hopes and plans for the future prove to be as high for blacks as for whites, and to be higher in predominantly black schools than in predominantly white schools. Of the 25 studies, only one showed a statistically significant correlation between occupational aspiration and school percentage white; 5 studies showed statistically significant negative correlation between educational aspiration and school percentage white. The majority of the remaining studies showed negative correlation trends.

8. Interracial attitudes of black and white pupils

St. John concludes that the studies do not present a clear picture of the direction of their findings; that for either race positive findings are less common than negative; and that the direction of the findings is as often contradictory as it is consistent.

Other factors which St. John notes may affect racial attitudes include: 1) the climate of the community; 2) the commitment of the school staff; 3) the absence of within school segregation; 4) characteristics of the children, e.g. age and sex. (A number of studies indicate less favorable cross racial attitudes for black girls than for black boys; among whites it appears to be the boys who feel most threatened.)

RESEARCH

ACADEMIC ACHIEVEMENT

The Relationship Between School Desegregation and Academic Achievement: A Review of the Research, Meyer Weinberg, Law and Contemporary Problems, Duke University, School of Law, vol. 39, #2, Spring 1975, pp. 241-270.

This article reviews the available research, including many unpublished studies, on school desegregation and academic achievement. Rather than critique the methodology or approach used in the studies, the author proposes merely to disseminate the information so that researchers and policy makers can build on it.

The author concludes that there appears to be agreement among researchers that:

- Achievement levels of white majorities in desegregated schools do not decline;
- The net effect of desegregation on the academic achievement levels of nonwhites, in most studies, is positive and in others is at least neutral (Since most of the research has been with blacks, further research will be necessary to determine whether this is true of achievement levels of other minorities as well);
- The instrument for obtaining integration - whether through busing, pairing of schools, altering of attendance zones, etc. - has no direct bearing on the achievement of the children involved.

Desegregation is likely to lead to gains in achievement of racial minorities when the following characterize the desegregated schools:

- A relative absence of interracial hostility among students;
- Teachers and administrators who understand and accept minority students, encouraged and reinforced by aggressive in-service training programs;

- The majority of students in a given classroom are from middle and/or upper socioeconomic classes;
- Desegregation at the classroom as well as at the school level, particularly in elementary schools;
- No rigid ability grouping or tracking, particularly at the elementary school level;
- An absence of racial conflict in the community over desegregation, and
- Younger children are involved.

See also:

§III-1, Outcomes for Children, St. John

§III-20, The Evidence on Busing, Armor
Busing: A Review of the Evidence,
Pettigrew et al.

RESEARCH

BUSING

Your Child and Busing, May 1972, 20 pages. Available from the U.S. Commission on Civil Rights, 1121 Vermont Avenue, N.W., Washington, D.C.

This booklet traces the history of pupil transportation at public expense, beginning in Massachusetts in 1852. It attempts to separate fact from fiction, and to dispel many of the unfounded fears that underly the busing controversy.

The areas covered include: the "right" to attend a neighborhood school; the safety of buses; the incidence of racial violence on buses; minority parents' opposition to busing; and the cost of busing.

Pamphlets on Busing:

"It's Not the Busing, It's the Niggers," NAACP, 1790 Broadway, New York, New York.

"Southern Manifesto. . . Massive Resistance . . . Freedom of Choice Pupil Placement. . . Interposition Busing," ACLU, 22 East 40th St., New York, NY 10016

"The Facts About Busing," "Busing, They Say Yes," Leadership Conference on Civil Rights, 2027 Massachusetts Avenue, N.W., Washington, D.C. 20036

BUSING

Some Facts on Busing

Number of Children Bused

Over half the school children in this country are bused to school. The following chart demonstrates the prevalence of busing long before desegregation:

Year	53/4	55/6	61/2	65/6	69/70	71/2	74/5
# of Students (in millions)	25.6	27.7	34.7	39.1	41.9	42.3	41.4
# Bused	8.4	9.7	13.2	15.5	18.2	19.5	20.8
% Bused	32.8	35.0	38.1	39.7	43.4	46.1	50.2

If we assume that the percentage of students bused for purposes other than desegregation increased during the period from 1969-70 to 1974-75 at the same rate as the percentage increased from 1953-54 to 1969-70 (roughly 0.66% per year), the percentage of students bused for purposes of desegregation is slightly less than 7% of the currently bused students, or 3 1/2% of currently enrolled students.

Busing and Pupil Safety

Data on student accident rates from the National Safety Council suggest that students walking to school are three times more likely to be involved in an accident than those going to school by bus. The data also suggest that for the days lost per injury, a pedestrian accident is three times greater for boys and seven times greater for girls.

Attitudes

- Most parents of bused children find busing (not in the context of desegregation) convenient and satisfactory. Harris polls, 1972 & 1975.

- A very large majority of Americans believe in the desegregation of schools. Most white Americans would send their children to schools where over half the students are black. 1975 National Opinion Research Center Poll.

- A vast majority of Americans do not support busing for the purpose of school desegregation.

BUSING

The Evidence on Busing, David J. Armor, The Public Interest, No. 28, Summer 1972, pp. 90-126.

Mr. Armor has testified in a number of desegregation cases to the effect that busing does not work and therefore should not be ordered by the courts. His testimony is based in part on his analysis of five studies summarized in this article.

Although the article purports to be the evidence on busing, Armor admits that it is difficult to separate out the potential effects of busing from those of integration per se. The question is really whether school integration enhances black achievement, aspirations, self esteem, etc. Armor's conclusions are as follows:

Achievement:

- There are no statistically significant studies;
- The black/white achievement gap has not diminished in integrated schools;
- The small achievement increase reflected in the Coleman data may be due to social class factors;
- The average bused child receives lower grades than the control student in a central city school.

Aspirations & Self Concept:

- Initial aspiration levels, particularly among young black males, are very high and are not increased by busing.
- The Metco study showed that when achievement is taken into account, black students actually have higher aspirations than white students at the same level of achievement.
- The Metco study also showed that the "self concept" of bused students was at least 15% lower than the "self concept" of the control group, perhaps due to tougher competition in the suburban schools.
- The Ann Arbor and Riverside studies showed no significant and consistent effect of integration on self-esteem.

Race Relations: Armor concludes that, under the circumstances obtaining in these studies:

- Integration heightens racial identity and consciousness;

- Integration enhances ideologies that promote racial segregation, and reduces opportunities for actual contact between the races. Armor cautions, however, that these findings do not necessarily indicate increased overt hostility.

Higher Education Opportunities:

- The Metco study showed that bused students were much more likely than control students to start college and to enroll in higher quality institutions. At the end of the second year, hoever, many of the bused students had dropped out.

Busing: A Review of the Evidence, Thomas F. Pettigrew, Elizabeth Useem, Clarence Norman, Marshall Smith, The Public Interest, No. 30, Winter 1973, pp. 88-118.

This is a response to Armor's article, "The Evidence on Busing." The authors note five principal disagreements with Armor:

- The premise of social scientists was that racial segregation leads to a multitude of negative effects, not that all racial desegregation would have positive effects.

- Desegregation cannot be viewed as a static process. They find that Armor ignores the process of desegregation: for example, the continuation of classroom segregation; the composition of the faculty; and ability grouping.

- Armor's analysis is based on an incomplete and biased selection of studies that completely excludes the Southern U.S. and ignores seven studies that reached positive conclusive results.

BUSING

- The use of white control groups is inadequate and misleading. It ignores the possibility that both black and white children could benefit significantly from integration even though the gap in their scores did not close.

- The Metco study on which many of the conclusions were based had serious effects.

The conclusions which Pettigrew et al reach are:

- Academic achievement of blacks and whites is not lowered.

- Achievement of whites, and especially of blacks, is generally higher when some of the following critical conditions are met: equal racial access to the school's resources; classroom as well as school desegregation; initiation of desegregation in the early grades; interracial staffs; substantial rather than token student desegregation; maintenance or increase of services and remedial training; avoidance of structural ability grouping.

- Grading changes are meaningless if consideration is not given to different grading practices;

- Shifts in aspiration and academic self image during desegregation are positive in meaning. Learning and achievement may be improved when aspirations are lowered to more effective and realistic levels.

- Militancy, racial pride, and a desire to be among blacks as well as whites are not bad.

- The evidence that school desegregation channels blacks into greater future opportunities is stronger than presented by Armor.

"WHITE FLIGHT"

Liberty & Equality in School Desegregation, James S. Coleman, Social Policy, Jan/Feb 1976, pp. 9-13

A concise summary of the Coleman research findings that have sparked the controversy over the effect of school desegregation on "white flight." His findings are that:

- Between 1968 and 1972 there was extensive change in the desegregation trends within Southern districts, but little change in the Northern and Western Districts. Desegregation took place to a much greater extent in small districts.

- With the exception of the border states, every region showed an increase in segregation between districts. It is in the largest metropolitan areas that segregation between districts is increasing most rapidly.

- Although the loss of whites was occurring before any school desegregation took place, desegregation has a substantial effect on the loss of whites when the proportion black and the between district segregation are high.

- The acceleration of white loss due to desegregation is not a continuing factor, but there is no compensatory return of white students to the schools.

- The major component of segregation in large cities is due to individual actions.

Coleman concludes that: a) within district school desegregation exacerbates the already unstable condition of the cities; b) de jure but not de facto segregation is properly eliminated through court action but should be confined to the agency which carried out the segregating action; c) the state should have the right to bring children into a school in numbers that will not disrupt the educational programs of the community but that the state should not have the right to assign a child to a school distant from her/his home on grounds other than his/her educational benefit -- that is, not in order to achieve racial balance; d) policy decisions should be made through a democratic process.

Symposium on School Desegregation and White Flight, Center for National Policy Review, Catholic University School of Law, Washington, D.C. 20064

A collection of four articles.

1. School Integration and White Flight, Reynolds Farley.

Farley studied all cities with more than 100,000 residents where blacks made up at least 3% of the school enrollment. He compared the school by school distribution of black and white students by calculating an index of dissimilarity (100 = perfect segregation). Changes in segregation were measured by subtracting the 1967 index from the 1972 index. If integration produces white flight, those districts whose segregation scores fell drastically should have lost many white students.

The study showed however that while white enrollment changed, the changes were not strongly linked to changes in school segregation. Some districts losing whites experienced a sharp decline in school segregation; but other cities lost whites despite the fact that school segregation did not change after 1967. The study also showed no significant relationship in the largest cities where Coleman had indicated that the relationship between white flight and school desegregation was the strongest.

Farley's study showed that changes in white enrollment were inversely related to the proportion black. This was consistent with the hypothesis that whites fear integrated schools with large black enrollments and withdraw their children prior to integration. But these findings are also consistent with other hypotheses: cities with high proportion black may have particularly unfavorable tax bases, may be losing employment, may be viewed by whites as dangerous or may have an especially old stock of housing.

Farley also tested a model using two variables: change in school segregation, and proportion black within the population, to see if whites would be particularly prone to leave public schools in those cities in which the schools were integrated and the proportion of blacks was high. He found that using the two variables was no more effective in predicting changes in white enrollment than using only the change in segregation.

2. Desegregation and the Private School Alternative, Giles, Cataldo and Gatlen.

A study of seven districts in Florida of the decisions of white parents to transfer their children from desegregated public to essentially private schools. The study concluded that 1) avoidance (i.e., sending children to private schools to avoid integration) was most likely when the percentage black enrollment was greater than 30%; 2) avoidance was more likely to be practiced by upper income respondents; 3) avoiders were no more likely to be racially prejudiced than those complying; and 4) the length of the bus ride did not affect the decision to avoid.

3. Schools that Quit Tipping in Missippi, Luther Munford.

This study of 30 school districts in Mississippi refutes the idea that white flight rapidly and irreversibly leads to black or nearly all black schools once the ratio of blacks to whites in a school reaches a tipping point. While cautioning that the study encompasses only a short time period and a limited number of districts (predominantly rural) the author concludes that white flight ultimately depends on the black/white ratio in the population rather than upon the black/white ratio in the schools.

4. White Flight Research, Its Importance, Perplexities, and Possible Policy Implications, Gary Orfield.

The author cautions that simply comparing white enrollment before and after desegregation in evaluating white flight ignores a) the general trend toward declining enrollment; b) the established patterns of white outmigration which developed long before the school issue was litigated; and c) special local circumstances that may occur simultaneously with desegregation.

To firmly establish any argument about white flight requires a general theory on urban racial change. The range and rate of factors which might influence the rate of racial transition include: 1) the record level of housing construction, overwhelmingly in the suburbs; 2) housing subsidy programs and financial incentives which created opportunities for low income whites in the suburbs, and sometimes ended with the elimination of thousands of units from the central city housing stock; 3) major urban riots; 4) movement of jobs to the suburbs; 5) the trend toward racial polarization in city politics and the emergence of black political leaders; 6) increasing crime and public fears of violence; 7) increases in strikingly disproportionate central city taxation.

The author concludes that the policy implications will be quite different if research is focused tightly on the short term effect of school desegregation on white migration, or if one looks at the whole array of forces influencing locational decisions. In the first instance, if the research shows an effect of school desegregation on white migration, it could be read as evidence against doing anything. In the second instance, if school desegregation only highlights and perhaps temporarily accelerates already well established social trends, one could recommend major efforts to change the structure of incentives and perceptions that have shaped these trends.

School Desegregation and White Flight, Christine H. Rossell, Political Science Quarterly, volume 90, #4, Winter 1975-76.

Based on data from a sample of 86 northern cities and their school districts, Rossell found that:

- Of the top ten school districts that implemented a high degree of school desegregation, only two showed any significant increase in white flight. In these two districts it was still possible that other factors might have contributed to the white flight.

- School districts implementing an intermediate degree of desegregation produced no significant white flight.

- School districts implementing minimal desegregation produced a significant increase in white flight in three districts. There was so little desegregation that the relationship should be treated with suspicion.

- Any loss of whites occurs before school opens in the first year of the plan. After that, white flight stabilizes to a rate slightly better than the predesegregation period. Apparently, whites who participate in the plan in the first year don't leave after that.

- There is no significant increase in white flight in northern districts that desegregate under court order.

- By the second and third year after desegregation, the school districts engaging in massive and rapid desegregation apparently have a rate of white flight that is lower than their rate in the predesegregation period and lower than that of any other group including those that did not implement any desegregation at all.

Boston's Desegregation and White Flight, Christine H. Rossell, Integrateducation, January/February 1977, pp.36-40.

This paper analyzes Boston's decline in white enrollment and the effect which school desegregation has had on this decline and on racial balance. Rossell demonstrates that the decline in white enrollment began long before desegregation with increased suburbanization and a declining white birth rate.

The amount of white flight attributed to school desegregation is therefore only one-half of what has been reported. Furthermore, she finds that the effect of school desegregation on white enrollment loss is a one-time, short term effect which results, at most, in a two year additional loss of whites. Some of this loss may even be reversible.

COMMUNITY PREPARATION

Take a Giant Step, Recommendations of a National Conference on Successful Desegregation, 1977. Available from U.S. Office of Education, 400 Maryland Ave., S.E., Washington, D.C.

This report lays out specific approaches to developing positive parent, community, staff and student attitudes toward desegregation at the school building and school district level. At the district level, it also defines ways in which media relationships and student discipline problems should be handled and how educational programs for all students and additional financing may be developed.

Fulfilling the Letter and Spirit of the Law. August, 1976. Available from U.S. Commission on Civil Rights, 1121 Vermont Ave., N.W., Washington, D.C. 20425

This report contains the findings of a Commission investigation on the factors that have aided and/or impeded desegregation in Boston, Denver, Tampa, Louisville, Berkeley, Minneapolis, Stamford and Corpus Christi. In less detail, it provides a summary and analysis of 29 desegregating school districts, and the results of a national survey of a random sample of 1,292 school districts.

The final section of the report describes the roles that different groups--public, private, business, religious, law enforcement, and media can play in the desegregation process; and briefly describes additional factors affecting desegregation.

This report can be extremely useful to communities about to undergo desegregation in two ways: first by

providing them with information on what is actually happening in other communities, refuting arguments that desegregation cannot work; and second, by pointing the way to how a community can act responsibly in preparing for desegregation.

School Desegregation in Ten Communities, June, 1973. Available from U.S. Commission on Civil Rights, 1121 Vermont Ave., N.W., Washington, D.C. 20425,

This report focuses on Pasadena, California, Hillsborough County, Florida, Pontiac, Michigan, Forsyth County, N.Carolina, Charlotte Mecklenburg, N. Carolina, Union Township, New Jersey, Riverside, California, Glynn County, Georgia, Clark County, Nevada, Oxnard, California.

For each city or county, the report provides a history of desegregation, an outline of the plan adopted, community reaction to desegregation, and the impact desegregation has had on improving the quality of education. There is little information on steps taken within each community to make desegregation work but the information on different plans and approaches to improving educational quality are useful in supporting the Commission's findings that desegregation has been a force contributing to substantial improvement in the quality of education in a number of cities; that technical problems associated with desegregation and busing have been less formidable than expected; and that careful and sensitive community preparation will enhance the chances for a smooth transition to a desegrated system.

Desegregating the Boston Public Schools: A Crisis in Civic Responsibility, Available from U.S. Commission on Civil Rights, 1121 Vermont Ave., N.W., Washington, D.C. 20425,

This report is based on investigations by Commission staff, a team of lawyers and social scientists, and five days of public hearings on school desegregation in Boston.

Commission findings and excerpted testimony detail the action taken by the following groups to aid and or impede the desegregation process: Boston's municipal government (executive branch, school committee, school and police departments); the state government (executive, legislature, education agencies, and law enforcement agencies); Boston's private sector (religious, business, higher education, social service and media); federal government (executive, HEW, Justice, Community Relations Service, Judiciary).

It's Not Over in the South; School Desegregation in 43 Southern Cities Eighteen Years After Brown, May 1972. Available from the Southern Regional Conference, 52 Fairlie St., N.W., Atlanta, GA 30303. $2.00

This report contains the findings of six private organizations who monitored the desegregation process in forty-three school districts. For each district the monitors focused on: leadership within the district, the adequacy or inadequacy of the plan; participation of students in extracurricular programs; discipline and suspension of students; hiring and/or demotions and dismissals of black faculty; second generation problems. The data is reported, in varying degrees of completeness, for each district.

School Desegregation: A Report Card from the South, John Edgerton, April 1976. Available from the Southern Regional Conference, 52 Fairlie St., N.W., Atlanta, GA. 30303. $4.00

This report provides fairly detailed information on the history and process of school desegregation in five Southern cities. The author highlights the progress and attitudinal changes made in these districts, including some that once were centers of resistance to school desegregation.

Desegregation Without Turmoil, the Role of the Multi-Racial Community Coalition in Preparing for Smooth Transition, 45 pages, 1977. Available from National Conference of Christians and Jews, 43 W. 57th Street, New York, NY 10019.

This report was prepared for community organizations who may want to review the experience of other communities as they prepare their own towns for the desegregation process. It is based on the proceedings of a national conference co-sponsored by the Community Relations Service of the U.S. Department of Justice and the National Center for Quality Integrated Education. It provides examples of coalition activities and local leadership roles assumed by business, religious, labor, and education groups and an appendix listing selected individual and organizational resources.

A Handbook for Integrated Schooling, Garlie Forehand, Marjorie Ragosta, 88 pages, 1976. Available from U.S. Department of HEW, Office of Education, Washington, D.C. 20202

The authors studied 200 schools to see how schools can be more successful in achieving integration. Based on their findings, the authors conclude that schools which have effectively desegregated are characterized by four features: Salience - integration is a highly salient goal for most people, including influential people, in the school; Intercultural sensitivity; Interdependence - members of the "school family" have shared objectives, mutual concern, and mutual sensitivity; Equity.

The authors provide examples of how local schools have furthered these goals through specific programs and include checklists for community groups to use in measuring their schools progress in achieving these goals.

Planning Educational Change, Technical Aspects of School Desegregation, U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, 30 pages.

This guide describes a step-by-step process for planning the complete physical desegregation of school systems. Since school districts vary from state to state, the material provides suggestions rather than strict guidelines. The guide summarizes the data that is required to draw up desegregation plans, how to use the data (transferring it onto maps), and what desegregation techniques are available.

Planning Educational Change, Human Resources in School Desegregation, U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, 41 pages.

This is a practice manual designed to assist school superintendents in planning and implementing school desegregation. It also serves as a useful checklist for community groups who want to see a sound and comprehensive plan developed.

Fulfilling the Letter and Spirit of the Law

Summary of Findings:

Public Hearings were held in Boston, Denver, Tampa, and Louisville. The testimony showed that when elected officials did not take an affirmative stand in support of desegregation (e.g., Boston and Louisville), their positions served to bolster desegregation opponents, reinforcing the view that desegregation would not come to pass. Similarly, opposition by school boards has slowed the desegregation process (Denver) and contributed to a trend toward resegregation (Louisville).

Conversely, where public and private leadership favored obedience to the law (Tampa) or where a well integrated coalition of community organizations existed, school desegregation proceeded in an orderly fashion.

Disruptions that occurred were limited. In Boston, the overwhelming majority of schools have desegregated without difficulty, but sensational reporting of violence at a couple of high schools by the national media completely distorted that fact. Similarly, disruptions which occurred in Louisville were largely the result of the failure of the county judge, who had intervened against the use of busing, to request police assistance. Overall, Louisville desegregated peacefully with minimal difficulty. Students generally have responded positively to desegregation.

In Tampa, desegregation has had positive effects on educational achievement -- test scores have improved and increased numbers of minorities are seeking higher education. Students have responded positively to desegregation.

Major problems still exist in that. 1) the bi-cultural programs that have been established are inadequate and the advice of the Hispanic community appears to have been consistently ignored (Denver) or inadequate

attention has been given to the needs of language minority students (Tampa); 2) disproportionate busing and suspension of black students exists (Tampa); and 3) racial insensitivity and bias of teachers continues (Tampa).

Open meetings were held in Berkeley, Minneapolis, Stamford (Connecticut) and Corpus Christi. The findings are similar to those of the public hearings. Positive leadership by school boards and superintendents facilitated peaceful desegregation (Berkeley, Minneapolis). In Corpus Christi, the positive efforts of the business and religious communities were able to offset the negative position of educational leadership.

Positive findings also included:

- Improved achievement scores for minority and majority students (Berkeley);
- Media working to keep the community informed (Corpus Christi)
- No pattern of white flight (Stamford).

Problems that remain are:

- Disproportionately high percentages of suspended students are black;
- Ability grouping is tending to segregate racial and ethnic minorities by classroom at the middle and high school level (Stamford).
- The lack of a good bilingual, bi-cultural program to meet the educational needs of students of Mexican American backgrounds (Corpus Christi).

A survey of 29 districts, 9 of which had voluntarily desegregated, 11 of which had done so under pressure from HEW, and 9 of which had acted pursuant to court order showed that:

- Desegregation has been implemented smoothly and without disruption in 27 of the communities;

- In 26 of the 29 communities, the school administration supported desegregation and was instrumental in the smooth implementation. In more than half the districts, the school board supported desegregation;

- 27 of the districts made special efforts to facilitate desegregation by informing the community;

- 23 of the districts provided staff training in human relations and retraining in academic areas;

- 23 systems made curriculum changes, often involving ethnic studies and bilingual education;

- In most of the 29 school districts, minority and majority students are responding well to each other.

A national survey produced usable responses from 993 school superintendents, or 77% of the sampled districts. Each district had an enrollment in excess of 1,500, including at least 5% minority students. The responses showed that:

- 54% toook substantial steps to desegregate between 1966 and 1975, with the courts being the greatest impetus for desegregation in 37% of the desegregating districts;

- 82% of the districts that desegregated reported having done so without serious disruption;

- A majority of superintendents reported that both white and minority parents generally support desegregation;

- Although many districts lost significant numbers of white students, there was no significant difference between those districts that desegregated under pressure from the courts and HEW and all districts in the country. The loss of white students was greatest where black enrollments exceeded 40%.

Desegregating the Boston Public Schools: A Crisis in Civic Responsibility

Summary of Recommendations:

Boston Municipal Government

a) Executive:
- Undertake public education campaign and informational program prior to the opening of school;

- Public Service Office should provide centralized planning and guidance so that neighborhood teams might provide logistical coordination and public information activity. Encourage parents and students to participate on teams.

b) School Committee:
- Undertake systemwide review of the content and structure of the school system and develop a comprehensive plan to utilize all those components to achieve optimal educational opportunity under school desegregation.
- Take affirmative steps to insure public safety in the schools and to implement the letter and spirit of the court order.

c) School Department:
- Develop a mechanism to make effective use of public and private citywide organizations to assist in desegregation.

- Ensure that information on availability and types of school desegregation is circulated as widely as possible.

- Take all necessary steps to ensure better communication with, and more involvement of, the local communities involved in planning and implementing desegregation.

- Maintain continuous contact and cooperation with all city agencies charged with responsibility for safety on the streets of Boston.

d) Police Department:
- Devote whatever resources are necessary to refine and implement safety plans.
- Inform community of department's commitment to student and public safety, as delineated in its safety plan.
  - Identify all hostile or friendly community groups; approach them to ensure widest participation and cooperation in maintaining public safety. Develop a community relations program with emphasis on obtaining citizen support for preventing disorder.
- The law enforcement role in school desegregation should be seen and treated as part of the department's ongoing responsibility for community protection.
- Ensure maximum availability of police personnel by:
  - Developing an organizational ability to shift from routine police activities to emergencies.
  - Evaluating services normally provided and prioritizing among them.
  - Designing a program for temporary reduction of low priority services during emergencies.
- Develop training programs geared specifically to the problems unique to school desegregation, including:
  - a profile of law enforcement problems encountered inside and outside the schools;
  - an analysis of crowd control problems.
- Develop specific plans of action to defuse tension and control demonstrations, including negotiations with any group opposed to school desegregation.
- Familiarize key school personnel and community organizations on the role of the police within the school.

State Government

a) Executive:
- Make televised statement assuring the public that full resources will be used to maintain order and respect for the law. Appeal for public cooperation.
- The Attorney General should publicly inform citizens of the requirements of the law and the measures that must be taken to bring about their observance.
- Staff should be provided to investigate discriminatory treatment of students, including discipline, suspension and expulsion, and segregated classrooms.

b) Education Agencies:
- Use appropriate administrative and budgetary means to make the department of education enforce pupil attendance laws.
- Announce to the public the specific program the commissioner of education has for enforcing pupil attendance laws.

Private Sector

a) Religious Community:
- Ensure that clergy in local churches, parishes or synagogues are well informed and that they serve as models of interracial activity in their respective communities.
- Churches and synagogues should voluntarily act as agents for dissemination of accurate information.

b) Business community:
- Should provide vigorous leadership relative to moral and legal issues involved in school desegregation.

c) Higher Education:
- High priority should be given to meeting the pairing and magnet program responsibilities contained in the plan:
  - Internal incentives should be developed to encourage maximum involvement of talented teaching, support, and administrative staff and students;
  - Programs to bring city pupils to campuses for use of athletic and cultural facilities should be developed.
- Substantial effort should be devoted to developing inservice, multi-cultural teacher training for Boston public school personnel.

d) Social Service Agencies:
- Develop public education, information and action programs to assist in the process of school desegregation.
- Provide support services in client communities, including organizing of parent volunteer efforts at bus stops, and meeting medical needs of children in unfamiliar school and neighborhood settings.

e) Media
- Review and evaluate the news media's role in Boston during 1974, perhaps by an industry standards group or school of journalism, to guide the media in Phase II. Such a review should include coordination between local and national media.